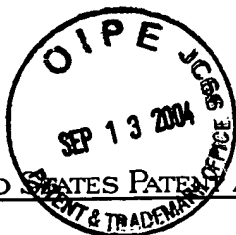


SFW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/798,669	03/11/2004	David J. Wendell	47171-00426USP1

CONFIRMATION NO. 6277

41230  
 CUMMINS-ALLISON CORP.  
 C/O JENKENS & GILCHRIST  
 225 WEST WASHINGTON STREET, SUITE 2600  
 CHICAGO, IL 60606

## FORMALITIES LETTER



\*OC000000012796466\*

Date Mailed: 05/27/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/14/2004 MMEKONEN 00000037 10798669

01 FC:1051

130.00 DP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "S. H. C.", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

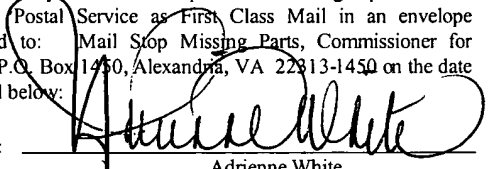


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number. : 10/798,669      Confirmation Number. : 6277  
Applicant : David J. Wendell *et al.*  
Filed : March 11, 2004  
TC/A.U. : 3653  
Examiner : Unassigned  
  
Docket Number : 47171-00426USP1  
Customer Number : 30,223

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING	
37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:	
9/7/2004	
Date	Adrienne White

**RESPONSE TO 37 C.F.R. § 1.53(d) NOTICE**

Dear Commissioner:

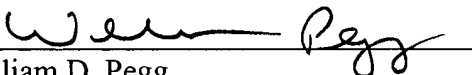
In response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(d), dated May 27, 2004, there are enclosed herewith:

- (a) Declaration and Power of Attorney executed by the inventors;
- (b) Our check in the amount of \$130.00 to cover the surcharge for late filing of Declaration (\$130.00);
- (c) Petition for Two Month Extension of Time along with check in the amount of \$420.00 for extension fee; and
- (d) A copy of the Notice to File Missing Parts of Application-Filing Date Granted.

If the check is inadvertently omitted, or should any additional fees be deemed necessary, the Commissioner is authorized to deduct the necessary fees (except for payment of the issue fee) from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 47171-00426USP1.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Date: September 7, 2004

  
William D. Pegg  
Reg. No. 42,988  
JENKENS & GILCHRIST, P.C.  
225 West Washington Street, Suite 2600  
Chicago, IL 60606-3418  
(312) 425-3900 – telephone  
(312) 425-3909 - facsimile

Attorneys for Applicants